

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Reginald Smith,)	
)	
Plaintiff,)	
)	Civil Action No. 2:22-1671-BHH
v.)	
)	<u>ORDER</u>
Central Network Retail Group, LLC;)	
Marvin's Building Supply,)	
)	
Defendants.)	
_____)	

This matter is before the Court upon Plaintiff Reginald Smith's ("Plaintiff") pro se complaint. In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.), the matter was referred to a United States Magistrate Judge for preliminary determinations.

By order dated August 31, 2022, United States Magistrate Judge Molly H. Cherry gave Plaintiff a specific time period to bring this case into proper form by providing certain documents. The Magistrate Judge subsequently granted Plaintiff extensions of time to bring the case into proper form; however, Plaintiff never filed an amended complaint and failed to submit all required documents to bring the case into proper form.

On December 28, 2022, the Magistrate Judge issued a Report and Recommendation ("Report"), outlining the issues and recommending that the Court dismiss this case for failure to state a claim and for failure to bring the case into proper form in accordance with the Court's orders. Attached to the Report was a notice advising Plaintiff of the right to file written objections to the Report within fourteen days of being served with a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a de novo determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, because no objections were filed, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After review, the Court finds no clear error and agrees with the Magistrate Judge’s findings and recommendations. Accordingly, the Court adopts and incorporates the Magistrate Judge’s Report (ECF No. 23) and hereby dismisses this action without prejudice, without further leave to amend, and without issuance of service of process.

IT IS SO ORDERED.

/s/Bruce H. Hendricks
United States District Judge

February 1, 2023
Charleston, South Carolina